

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jose L. Encisco
Serial No.: 10/728,681
Filed: 12/05/2003
Title: SONET/SDH RING AGGREGATION
Art Unit: 2419
Examiner: Joshua Y. Smith
Confirm. No.: 9076
Docket No.: 4998P021 (now 2060/30)
VIA EFS Web
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of Electronic Transmission
Under 37 C.F.R. §1.8

I hereby certify that this correspondence and any document referenced herein are being electronically filed with the USPTO via EFS-Web on January 4, 2010.

Marjorie Scariati
(Printed Name of Person Sending Correspondence)

/Marjorie Scariati/
(Signature)

NOTICE OF APPEAL AND PRE-APPEAL BRIEF REQUEST FOR REVIEW

SIR:

Applicant hereby respectfully appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated October 1, 2009, finally rejecting the pending claims in this application. A response is due by Monday, January 4, 2010; thus, this Notice of Appeal is timely filed.

Authorization is hereby provided to charge Deposit Account No. 50-1047 the Appeal Fee under 37 CFR 41.20(b)(1) (\$540). It is further requested that the Commissioner charge any additional fees that may be required, or credit any overpayments, to Deposit Account 50-1047.

Serial No.: 10/728,681

A Pre-Appeal Brief Request For Review is filed herewith.

Respectfully submitted,

Dated: January 4, 2010

Attorney for Applicants
Mayer & Williams PC
251 North Avenue West, 2nd Floor
Westfield, NJ 07090
908-518-7700 Tel.
908-518-7795 Fax

Respectfully submitted,

By: /Karin L. Williams/

Karin L. Williams
Registration No.: 36,721